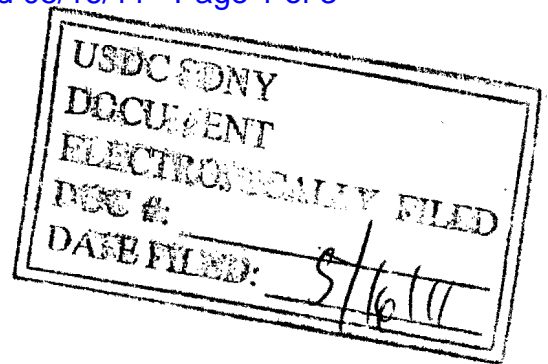


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

VITESSE SEMICONDUCTOR CORP., ET AL.,

Defendants.
----- X

No. 10 Civ. 9239 (JSR)

ECF Case

JOINT PROPOSED
AMENDED SCHEDULING
ORDER

JED S. RAKOFF, U.S.D.J.

Plaintiff Securities and Exchange Commission ("SEC") and Defendants Louis Tomasetta ("Tomasetta") and Eugene Hovanec ("Hovanec") respectfully submit this proposed amended scheduling order. Given the Court's order staying the trial and four depositions in this matter, the parties propose the following date for the completion of the remaining discovery and pretrial proceedings:

- October 14, 2011: Close of discovery (except those depositions noted below);
- April 2, 2012 (or 30 days after the conclusion of the criminal trial, if later):
Defendants' expert disclosures and responses to Plaintiffs' Requests for Admissions;
- April 16, 2012 (or 6 weeks after conclusion of the criminal trial, if later): Last day to complete the depositions of Yatin Mody, Nicole Kaplan, Hovanec, Tomasetta, and any defense expert witnesses;
- May 14, 2012: Motions for Summary Judgment to be filed;
- May 29, 2012: Oppositions to Motions for Summary Judgment to be filed;

- June 4, 2012: Replies to Oppositions to Motions for Summary Judgment to be filed;
- June 11, 2012 ^{at 4 p.m.} Final pre-trial conference and hearing on Motions for Summary Judgment;

The parties ask the Court to enter an amended scheduling order reflecting the above agreed upon dates.

Respectfully submitted,

Dated: Washington, DC
May 6, 2011

SECURITIES AND EXCHANGE COMMISSION

By: s/ Terence Healy
Terence M. Healy
Attorneys for Plaintiff

Dated: Los Angeles, CA
May 6, 2011

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Louis R. Tomasetta

Dated: Los Angeles, CA
May 6, 2011

BIRD, MARELLA, BOXER, WOLPERT,
NESSIM, DROOKS & LINCENBERG, P.C.

By: s/ Gary S. Lincenberg
Gary S. Lincenberg
Attorneys for Defendant
Eugene F. Hovanec

SO ORDERED.

Dated: New York, NY
5/12, 2011



Jed S. Rakoff
United States District Judge